

**STATE OF WASHINGTON****OFFICE OF  
INSURANCE COMMISSIONER****BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF WASHINGTON**

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In the Matter of ) No. D 2000 - 125  
)  
**Able Truck Insurance** ) ORDER OF  
**Agency, Inc.,** ) REVOCATION  
*Licensee.* )

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To: Able Truck Insurance Agency, Inc.  
8170 Wheatland Rd. N.  
Brooks, OR 97303

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your insurance agent's license is REVOKED, effective January 11, 2001, pursuant to RCW 48.17.530 subject to your right to demand a hearing pursuant to RCW 48.04.010 and Chapter 34.05 RCW.

THIS ORDER IS BASED ON THE FOLLOWING GROUNDS:

1. Your affiliated agent Walter L. Ellis accepted money from Daniel J. Davis of D&J Transportation that was intended as insurance premium. He failed to report the transaction to the insurer and failed to account for the money and pay it to the insurer, all in violation of RCW 48.17.480.
2. The insurance that was the subject of the transaction described in paragraph 1 above was not provided. This collection of money and failure to provide insurance violated RCW 48.30.190.
3. In that transaction described in paragraph 1 above, Mr. Ellis purported to bind coverage with Fireman's Fund Insurance Company, at a time when you were not appointed as an agent for that company and neither was he. This is a ground for revocation under RCW 48.18.240.
4. You have no agent affiliated with you and empowered to exercise the authority under your

license. Therefore, you are ineligible for a license under RCW 48.17.180.

By reason of your conduct, you have shown yourself to be and are so deemed by the commissioner, untrustworthy and a source of injury and loss to the public and not qualified to be an insurance agent in the State of Washington. Accordingly, your license is revoked pursuant to RCW 48.17.070 and RCW 48.17.530(1)(b), (d) and (h).

IT IS FURTHER ORDERED that you return your insurance agent's license certificate or certificates to the Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4).

NOTICE CONCERNING YOUR RIGHT TO A HEARING. Please note that a detailed summary of your right to contest this Order is attached. Briefly, if you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify briefly the reasons why you think this Order should be changed. If your demand for a hearing is received by the Commissioner before the effective date of the revocation, then the revocation will be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner's Office to discuss the hearing and the procedures to be followed. Please send any demand for hearing to William E. Frandsen, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257.

ENTERED AT LACEY, WASHINGTON, this 22<sup>nd</sup> day of December, 2000.

DEBORAH SENN

Insurance Commissioner

By

WILLIAM E. FRANDSEN

Deputy Commissioner

Investigator: Ed Ganley